

In The United States District Court
For The Southern District of Texas
Houston Division

United States Courts
Southern District of Texas
FILED

SEP 23 2020

David J. Bradley, Clerk of Court

Dwight Russell, et al.,
Plaintiffs,

VS. Civil Action No. H-19-226

Harris County, Texas, et al.,
Defendants.

Prospective Class Plaintiff's Motion to
Compel Judgement in Favor of Plaintiff's Under
ODonnell v. Harris County, No. H-16-1414 (S.D. -
Tex. 2016), ODonnell v. Harris Cty., 892 F.3d 147,
163 (5th Cir. 2018) and ODonnell v. Goodhart, 900

p.1

F. 3d 220, 225 (5th Cir. 2018) Due to the Wrong-
ful Death's of at Least 3 Inmates from (COVID-19)
Coronavirus, 1,500 Inmates Infected with (COVID-
-19) Coronavirus and 350 Infected Deputies and
Staff Member's "All" in the Harris County Jail
System With Written Objections to this Courts
Memorandum and Order Dated April 14, 2020
And Brief in Support

To The Honorable Lee H. Rosenthal, Chief United
States District Judge:

Nouy Cones, Devin Paul Cole, Plaintiff and confined
pre-trial detainee confined in the Harris County Jail since
February 27th, 2020 continuously under Inhumane, Cruel
and Unusual (COVID-19) Coronavirus Deadly Pestilential
Conditions in violation of the 4th 5th and 8th Amend-
ments to the United States Constitution so shocking to

the conscious as to be intolerable. Dogs and cats at the local dog pound are held in more humane conditions and treated better.

Just two days ago 9-15-2020 the dorm next door 5-H-2 (we are 5-H-1) about 54 inmates each side was for the 7th time in 7 months placed on Quarantine again due to another inmate found to be sick with (COVID-19). It just never stops. This is ridiculous. And no one will do anything about it.

Federal Constitutional Rights worth something or worthless? That is for the poor-homeless man. I've read the federal Constitution 1,000 times and have yet to find the Coronavirus - COVID-19 Clause allowing suspension of the Bill of Rights and the 14th Amendment. Of course I only have a \$3⁰⁰ pair of reading glasses maybe that's the problem.

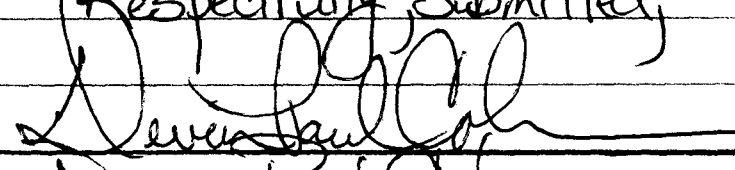
Article 17.151 of the Tx Cd. Cr. Proc clearly states public safety is "not" to be considered when the state is not ready for trial, after a person is confined continuously for more than 90 days. I OBJECT aggressively and with disgust at the snail's pace of these proceedings and the Conservative Republican favoritism shown by this Court to Governor Greg Abbott (a former Prosecutor and State Attorney General) and Ken Paxton (a prospective inmate) and fugitive from

justice himself. (He gets a reasonable bail fast). Prosecutors know the vast majority of cases, 60% cannot be successfully prosecuted at a jury trial, yet they exact punishment without ever having to have a trial.

Wherefore, Premises Considered, Plaintiff prays that the Court take drastic and forceful ^{action} in favor of the pre-trial detainees in the Harris County Jail whom are discriminated against because of their poverty and in direct violation of the Equal Protection of the Laws Clause of the Fourteenth Amendment to the U.S. Constitution ^{and} "bear the brunt" of lengthy pre-trial incarceration with Satan and COVID-19 seeking to devour us and cause our DEATH without trial, due process or equal protection.

This is arbitrary, caprice and constitutes a Miscarriage of Justice, and the Imposition of Cruel and Unusual Punishment, Shocking to the Conscience in violation of the Eighth Amendment and the 14th Amendment.

("Exeuted and Sworn to on 9-18-2020.")

Respectfully submitted,

 Devin Paul Cole

"I declare under penalty of federal perjury

that the above and forgoing motion is true
and correct under federal law. "

Devin Paul Cole

Devin Paul Cole
Poor/Homeless/Pre-Trial
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Hopefully I will live through
this atrocity I